

HOUSE No. 3131

The Commonwealth of Massachusetts

PRESENTED BY:

Timothy J. Toomey, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to consumer choice of green electricity.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Timothy J. Toomey, Jr.	26th Middlesex
Elizabeth A. Malia	11th Suffolk
Denise Provost	27th Middlesex
Thomas M. Stanley	9th Middlesex
David B. Sullivan	6th Bristol
James B. Eldridge	Middlesex and Worcester
Patricia D. Jehlen	Second Middlesex
Bruce E. Tarr	First Essex and Middlesex
Paul McMurtry	11th Norfolk
Cory Atkins	14th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3383 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO CONSUMER CHOICE OF GREEN ELECTRICITY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 164 of the General Laws, as appearing in the 2006 Official
2 Edition, is hereby amended by inserting after section 1H the following section:--

3 SECTION 1I. The department is hereby authorized and directed to require electric companies
4 organized pursuant to this chapter to provide retail customers with the option of purchasing
5 electricity derived from renewable energy. The department shall: promulgate rules and
6 regulations to establish a “green electricity purchasing” program; establish fair and efficient rates
7 for electricity generated from renewable energy sources; and develop a program to educate retail
8 customers about renewable energy options. Renewable energy purchasing options established by
9 this act will be separate and distinct from what is required by the renewable portfolio standard
10 regulations (225 CMR 14.00), as established by the division of energy resources. Biannual
11 reports must be filed by the department to the general court’s joint committee on energy and joint
12 committee on government regulations detailing the implementation of the act. For the purposes
13 of this section “renewable energy” or “renewables” will be defined as either (i) resources whose
14 common characteristic is that they are nondepletable or are naturally replenishable but flow-
15 limited, or (ii) existing or emerging non-fossil fuel energy sources or technologies, which have
16 significant potential for commercialization in New England and New York, and shall include the
17 following: solar photovoltaic or solar thermal electric energy; wind energy; ocean thermal, wave,
18 or tidal energy; fuel cells; landfill gas; waste-to-energy which is a component of conventional
19 municipal solid waste plant technology in commercial use; naturally flowing water and
20 hydroelectric; and low-emission, advanced biomass power conversion technologies, such as

21 gasification using such biomass fuels as wood, agricultural, or food wastes, energy crops, biogas,
22 biodiesel, or organic refuse-derived fuel. The following technologies or fuels shall not be
23 considered renewable energy supplies: coal, oil, natural gas except when used in fuel cells, and
24 nuclear power.